

Notice of Allowability

Application No.

09/996,553

Examiner

Nguyen Ngo

Applicant(s)

LEE ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to special amendment of 8/6/2007.
2. ☒ The allowed claim(s) is/are 5-12 and 20-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Response to Amendment

1. This communication is in response to the special amendment of 8/6/2007. Changes made to the Claims have been entered. Accordingly, Claims 5-12 and 20-28 are currently pending in the application.

Allowable Subject Matter

5. Claims 5-7, 8-12, 20-23, and 24-28 are allowed.
6. Claim 5 and 20 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly disclose measuring a number of detected packet data; dividing a jitter value by the measured number of packet data and determining a parameter based on whether or not the divided value is larger than a threshold value associated with traffic characteristic of the packet data transmission. It is noted that the closest prior art Galand (US 6188698) shows a queuing and transmission scheduling system and method for use in a multimedia network, that ensures a suitable quality of service for a wide range of applications and further discloses classifying each of the plurality of connections as red or green depending on whether said each connection transmits excess traffic or not, so as to achieve a behavior classification of said plurality of connections. However the stated prior art fails to disclose or render obvious to the above underline limitations as claimed.

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7. Claims 8 and 24 is allowable over the prior art of record since the cited references taken individually or in combination fail to particularly disclose **determining whether a first parameter associated with characteristics of the service class identifies a symmetric service corresponding real time data or not, determining whether a second parameter associated with a period of the service class identifies a service for a predetermined period of time representing the packet data transmission occurs more than a predetermined number of times or not; and calculating a value to classify the service class of packet data using the first and second parameters**. It is noted that the closest prior art Galand (US 6188698) shows a queuing and transmission scheduling system and method for use in a multimedia network, that ensures a suitable quality of service for a wide range of applications and further discloses classifying each of the plurality of connections as red or green depending on whether said each connection transmits excess traffic or not, so as to achieve a behavior classification of said plurality of connections. However the stated prior art fails to disclose or render obvious to the above underline limitations as claimed.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Wood (US 6600759), Apparatus For Estimating Jitter In RTP Encapsulated Voice Packets Received Over A Data Network.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen Ngo whose telephone number is (571) 272-8398. The examiner can normally be reached on Monday-Friday 7am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nguyen Ngo

United States Patent & Trademark Office
Patent Examiner AU 2663
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